

REMARKS**Restriction**

Applicants confirm the telephonic restriction, with traverse, Group II, claims 7 through 25. Applicants withdraw the non-elected claims in Groups I and III, without prejudice to the filing of additional applications directed to the subject matter therein.

Applicants traverse the restriction on the basis that the two requirements for a proper requirement for restriction between patentably distinct inventions are (A) the inventions must be independent and (B) there must be a serious burden on the examiner if restriction is required. Applicants respectfully submit that there would not be a serious burden to search and examine all of the claims in Groups I, II and III.

In The Specification

In the specification, the paragraph on page 1 at lines 5 through 15 was amended to update the status of some of the priority documents. Entry of the amendment is proper since no new matter was added.

Amendment to the Abstract

The Abstract has been amended to reflect the presently claimed invention. The abstract finds support throughout the application, but particularly in the claims. Entry is proper since no new matter is added.

Rejections Under 35 U.S.C. § 103(a)

The Office Action indicates that the instant application is unpatentable over WO 01/05842 A1 (hereafter "McElvain") and WO 96/18662 (hereafter "Palmroos"). The Office Action acknowledges that McElvin does not teach reconfiguring their apparatus into two connected closed loop reactors. The Office Action indicates that one of ordinary skill in the art would be able to connect and disconnect the various elements of the known loop reactor of McElvin to form the multiple loop reactor of Palmroos. Applicants traverse the rejection for the

following reasons.

Applicants note that the combination of Palmroos and McElvin fail to teach or fairly suggest all of the elements of the claimed invention. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Combination of McElvin, showing in Figure 1 a loop reactor with eight vertical legs but only one feed and one discharge, with Palmroos, showing two reactors each with two vertical legs and each having only one feed inlet and only one discharge conduit, fails to teach or suggest all of the elements recited in Applicants' claims. Applicants' claims recite "at least 8 vertical legs, at least two non-vertical conversion runs, each non-vertical run connected to fluid flow communication with two vertical legs, at least two feed inlets, and at least two continuous discharge conduits;..." Palmroos does not teach or suggest at least 8 vertical legs and McElvin does not teach or suggest at least two feed inlets.

Further, Palmroos teaches connecting the separate reactors by use of an additional conduit (see line 21 in Figure 1 of Palmroos), rather than moving at least two non-vertical runs as recited in Applicants' claims. The combination of Palmroos and McElvin does not teach or suggest "disconnecting at least one connection of each conversion run and reconnecting each conversion run in fluid flow with a different vertical leg" as recited in Applicants' claims. Additionally, combination of Palmroos and McElvin would result in redundant conduits that provide no benefit since they would not result in "multiple loop reactors each having at least one feed inlet and at least one continuous discharge conduit.

Additionally, McElvin shows all discharge conduits on the same leg. Reconfiguring the McElvin multi-loop reactors in the manner recited in Applicants' claim would result in some loops having no discharge. Consequently this would not function and there is no reasonable expectation of success when some of the reactor loops would not function at all because they lacked a discharge conduit.

Since Palmroos and McElvin, individually and in combination, fail to fairly teach or suggest all of the claim elements, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection.

Applicants respectfully request reconsideration in view of the above remarks and amended claim. Applicants believe that the application is in condition for allowance. Allowance of the present application is requested.

If the Examiner has any questions, please contact the attorney listed below.

Respectfully submitted,

14 July 2005
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